

MINUTES OF THE REGULAR CITY COUNCIL MEETING

February 11, 2019

MEMBERS PRESENT: Mayor Pro tem Sherrie Williams
Councilwoman Lori Shierry
Councilmen Andy Payne, Tim Sheppard and Brad Wynn

MEMBERS ABSENT: Mayor Ray Schultz

PERSONNEL: Jerry Flemming, City Manager
David Sherrill, Public Works Director
Steve Davis, Chief of Police
Jason Griffin, Parks and Recreation Director
David Owen, Economic Development Director
Becky Ferguson, Director of Finance
Amie Schultz, Library Director
Sherry Fowler, Police Sergeant
Janice Newman, City Secretary

VISITORS: Dolores Hamilton
Israel Banales
April Scholl
Dub Ewing
Lindsey Vann
Ben Beutel
Jorge Pineda
Misty McCarty
Kelly Ewing
Jacen Scharbrough
Elliott Jones

AGENDA ITEM NO. 1: Call to Order.

The Mayor Pro tem called the meeting to order at 7:00 p.m.

AGENDA ITEM NO. 2: Invocation.

The City Manager gave the invocation.

AGENDA ITEM NO. 3: Recognition of Special Guest(s)/Action(s).

There were no recognitions at this time.

AGENDA ITEM NO. 4: Citizens' Input.

No individuals registered to participate in the citizens' input.

AGENDA ITEM NO. 5: General Consent.

- A. Acceptance and approval of the minutes of the regular City Council meeting of January 14, 2019.
- B. Acceptance and approval of the minutes of the regular City Council meeting of January 28, 2019.
- C. Acceptance and approval of the minutes of the special City Council meeting of January 29, 2019.

Motion was made by Councilwoman Shierry and seconded by Councilman Sheppard accepting and approving the general consent agenda as presented. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 6: Appointment.

- A. Appoint an Animal Facility Advisory Committee, Consisting of Dr. Brent Patterson, Jerry Flemming, Christine Dison, Matt

Ohm and Robin Morris, to Assist in Complying With the Requirements of Chapter 823 of the Texas Health and Safety Code.

Since the Animal Facility has been completed, the Texas Health and Safety Code requires that an advisory committee be appointed and must be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of the animal shelter and representative from an animal welfare organization. The committee is required to meet a minimum of three times a year. Motion was made by Councilman Sheppard and seconded by Councilman Payne appointing Dr. Brent Patterson, Jerry Flemming, Christine Dison, Matt Ohm and Robin Morris to the Animal Facility Advisory Committee to assist in complying with the requirements of Chapter 823 of the Texas Health and Safety Code. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 7: Public Appearance.

- A. A Public Appearance by Mr. Ben Beutel Requesting an Exemption From the City's Code of Ordinances at Section 5.01.001 "Uncontained Burning".

Mr. Ben Beutel briefed the Council on his property located at 1508 Quail Valley. This is a five acre tract that he plans to build his home on. It is covered in mesquite trees that he has been grubbing and piling up in order to burn. He did some burning and received a complaint to appear in Municipal Court from the Fire Marshall. He stated he really does not want to disannex a portion of his property. He asked the City to consider allowing uncontained burning for properties of five acres or more, as long as it is approved by the Fire Marshall and Fire Chief. The City Manager suggested the City, including the Fire Marshall and Fire Chief, City Attorney, and insurance company to come up with new ordinance to allow certain uncontained fires.

- (i) Action as a Result of Public Appearance.

It was the consensus of the Council to have staff bring back an ordinance for the Council to consider.

- B. A Public Appearance by Mr. Ben Beutel to Discuss Disannexing Four Acres From His Five Acre Property Located at 1508 Quail Valley.

This item was passed.

- C. A Public Appearance by Ms. Cheryl Lockhart to Discuss the Canada Geese Molt Roundup at Gordon Lake.

Ms. Lockhart was not present.

AGENDA ITEM NO. 8: Ordinance.

- A. An Ordinance of the City Council of the City of Iowa Park, Texas Amending the Code of Ordinances at Article 13.05 to Revise the City's Drought Contingency Plan.

The City Manager explained that wholesale public water suppliers are required to submit an updated drought contingency plan to the Texas Commission on Environmental Quality every five years. Motion was made by Councilman Sheppard and seconded by Councilman Payne approving and adopting Ordinance Number 1259 amending the Code of Ordinances at Article 13.05 to revise the City's Drought Contingency Plan. Motion carried with four ayes. (Unanimous)

AGENDA ITEM NO. 9: Resolution.

- A. A Resolution of the City Council of the City of Iowa Park, Texas Authorizing the Mayor to Execute a Lease Agreement on Behalf

of the City of Iowa Park With 1000 Mary, LLC for a Portion of the Karen Lane Right-of-Way.

Property managers Israel Banales and Jorge Pineda of Wehner Multifamily, LLC were present and explained their desire to construct a covered school bus stop over an existing slab. However, the slab encroaches eight feet by eight feet into the City's right-of-way. Staff has prepared a proposed lease agreement for ninety-nine years at \$1.00 per month that will be placed on their water bill. Motion was made by Councilman Payne and seconded by Councilman Sheppard approving and adopting Resolution Number 19-03 authorizing the Mayor to execute a lease agreement on behalf of the City of Iowa Park with 1000 Mary, LLC for a portion of the Karen Lane right-of-way. Motion carried with four ayes. (Unanimous)

The meeting adjourned at 7:31 p.m.

PASSED, APPROVED AND ADOPTED this 25th day of February, 2019.

Mayor Ray Schultz

ATTEST:

City Secretary Janice Newman